

REGULAR SESSION

February 13, 2020

The Council of the City of Chardon met in Regular Session Thursday, February 13, 2020 at 6:30 P.M. in Council Chambers of the Chardon Municipal Center.

Daniel Meleski, President of Council presiding.

The meeting opened with the pledge of allegiance and roll call.

Members of Council present: Andrew Blackley, Deborah Chuha, Chris Grau, Nancy McArthur, Heather Means, Daniel Meleski, Jeffrey Smock.

Members of Council absent: none.

Others Present: City Manager Randy Sharpe, Finance Director Mate Rogonjic, Clerk of Council Amy Day, Law Director Benjamin Chojnacki, Police Chief Scott Niehus, City Engineer Doug Courtney, Community Development Administrator Steve Yaney, Public Service Director Paul Hornyak, Mary Glauser, Joe Koziol, Amy Patterson, Mary Jo Stark, April Brewster, Joyce Perrico, Scott Lynch, Larry Maniche, Dave Lelko, Hannah Sekas, Brad Sekas, Alexander Tiwari, Rae Greaves, Laura Diemer, Melissa Ricco, Stephen Funk.

APPROVAL OF MINUTES

Mr. Smock suggested removal of a duplicated sentence and suggested that Mayor Meleski's name be added as presiding following Council's recess in the January 9, 2020 minutes.

Mr. Blackley moved and Mrs. Chuha seconded to approve the minutes of the January 9, 2020 Regular Session as amended.

Upon roll call vote the motion passed unanimously.

Mr. Smock moved and Mr. Grau seconded to approve the minutes of the January 16, 2020 Special Session.

Results of the Roll Call vote:

Blackley: Yes
Chuha: Yes
Grau: Yes
McArthur: Abstain
Means: Yes
Meleski: Yes
Smock: Yes

Motion passed.

EXECUTIVE SESSION

Mrs. McArthur moved and Mr. Grau seconded to adjourn to Executive Session at 6:34 p.m. for consultation with legal counsel regarding two eminent legal action issues, potential acquisition of real estate and employment or compensation of a public employee and invite Stephen Funk into the session. Upon

roll call vote the motion passed unanimously.

Discussion occurred with legal counsel regarding eminent legal action issues.

Meeting reconvened at 7:50 p.m.

MANAGER'S REPORT

Mr. Sharpe reported that Dennis Soltis has been hired to fill the Planning & Zoning Inspector position.

Mr. Sharpe reported that a full-time maintenance worker position in the Division of Water and Sewer is open due to impending retirement of Fred Lark.

Mr. Sharpe reported that 25 Christmas trees were dropped off at the Service Garage for the first Christmas tree collection as part of the contract with Waste Management. Any remaining trees may be included in the City's brush collection program.

Mr. Sharpe reported that it is anticipated that the 2020 draft budget book will be delivered to Council on March 3, 2020. The budget hearing is set for March 24, 2020.

Mr. Sharpe reported that Chardon Tomorrow has requested the City's annual contribution of \$15,000. He noted that the funds were included in the temporary budget; however, since the organization has changed from a Main Street community to a Community Development Corporation, he wanted to ensure Council's approval for the release of funds.

Mr. Grau inquired about Chardon Tomorrow's willingness to provide goal-setting figures so that Council is aware how the City's funds have benefitted Chardon Tomorrow and the Chardon community.

Mary Glauser, Chardon Tomorrow Executive Director, distributed information that addressed the program alignment and organizational goals of Chardon Tomorrow as it moves from a Main Street Program to a Community Development Corporation. She explained that the money the City provides to Chardon Tomorrow is used to support economic vitality initiatives such as business visits and events and programs. In addition, they provide consulting services and assist businesses in the community.

Joyce Perrico, 408 Chardon Avenue, spoke about the resources Ms. Glauser has provided to her as a businessowner.

Rae Greaves, 111 South Street, spoke about the assistance Ms. Glauser has provided her when opening her business, and expressed that Ms. Glauser is instrumental to Chardon businesses.

Ms. Means asked if Chardon Tomorrow is able to provide Council with their annual budget or forecasts.

Ms. Glauser stated that Chardon Tomorrow generally provides an annual report to Council and she is able to provide quarterly reports and their 2020 budget to Council.

Mr. Grau moved and Mr. Smock seconded to authorize the City's payment to Chardon Tomorrow prior to the 2020 budget being approved, in light of Chardon Tomorrow's change in direction with its 2020 vision.

Mr. Grau asked if Chardon Tomorrow is able to provide data that shows how many times they promoted a property to a prospective business owner.

Ms. Glauser stated that Chardon Tomorrow can provide metrics on the number of showings they have conducted.

Mrs. McArthur stated that Main Street business owners attended a recent Economic Development Committee meeting and inquired about the City's funding of Chardon Tomorrow.

Ms. Means stated that folks would like to see something measurable to show what the City's contribution is bringing. She asked if event attendance information can be tracked and provided to Council.

Ms. Glauser stated that event attendance information is available now.

Ms. Chuha suggested giving \$5,000 to Chardon Tomorrow now and the remainder later.

Ms. Means stated that she is not opposed to providing all the funds now but would like to have financial figures provided by Chardon Tomorrow. She stated that anyone given City funds would have to provide something other than an anecdotal report to justify the money.

Ms. Glauser stated that they do an annual report in March that they can provide to Council.

Results of the Roll Call vote:

Blackley: Abstain
Chuha: Yes
Grau: Yes
McArthur: Yes
Means: Yes
Meleski: Yes
Smock: Yes

Motion passed.

Mr. Sharpe reported that the City was awarded a NOPEC grant for an electronic device charging station. The charging station will be located at the Heritage House in the Square in the coming months.

Mr. Sharpe reported that City offices will be closed on Monday, February 17, in observance of Presidents' Day.

Mr. Sharpe acknowledged the impending retirement of Joe Koziol, Jr., reporter for the Times Courier and thanked him for coverage of the City for the last 20 years.

Mr. Sharpe reported on the status of capital improvement projects.

Mayor Meleski inquired about the status of the illumination of the message sign on the Square.

Mr. Sharpe stated that the Square electric panel was recently replaced and the City is waiting for the Illuminating Company to re-energize the sign and lights in the Square.

PLANNING COMMISSION REPORT

Mr. Blackley reported that Planning Commission met and elected their officers and tabled a request for an expansion to a wireless telecommunications facility until their next meeting.

COUNCIL COMMITTEE REPORTS

Economic Development Committee

Ms. Means reported that the Committee met and discussed first amendment rights. The City's Law Director answered questions from the public and staff regarding this topic. Following that discussion, Dennis Maher from Retail Strategies outlined economic development services they can provide the City as part of a 3-year package. Another Economic Development meeting has been scheduled at which the Committee will further discuss Retail Strategies' proposal.

Finance Committee

Mrs. McArthur reported that the Committee met and discussed changes to the financial management and debt policy as well as the creation of a new capital improvement fund for the purpose of setting aside funds that may be used to purchase property around the Square. The Committee recommended a few modifications to the proposed policy changes to allow for a greater percentage of funds to be set aside for a longer period of time.

Mr. Rogonjic added that 2% of monthly income tax would be set aside for the potential purchase of property on the Square.

Park and Recreation Board

Ms. Means reported that the Board met and discussed summer programming and the Recreation Director's efforts to work collaboratively with other groups to expand recreational programs.

Mr. Sharpe inquired about free pool days.

Ms. Means stated that the board discussed various ideas for free pool days in the summer; however, the board had not reached a conclusion.

HEARING OF PERSONS BEFORE COUNCIL

THOSE PERSONS ON THE AGENDA - none.

GENERAL PUBLIC - none.

OLD BUSINESS - none.

NEW BUSINESS

Regarding the issuance of a new D5L liquor permit for 109 N. Hambden Street Chardon LLC, no member of Council had any objections.

Regarding the issuance of a new D5L liquor permit for 201 Main Street Chardon LLC, no member of Council had any objections.

A Public Hearing to provide the public the opportunity to comment regarding a proposed Zoning Map Amendment to Parcel ID# 10-009111. The proposed re-zoning is from "I-WTTO" Industrial - Wireless Telecommunications Overlay District to "R-3" Medium Density Residence District and then to "PRD" Planned Residential District was set for March 12, 2020 at 6:15 PM.

Regarding revisions to Financial Management and Debt Policy, Mr. Rogonjic stated that the basis for the Chardon Square Capital Improvement Fund was a result of the goals identified in the 2019 Comprehensive Plan Update. The 2% would generate approximately \$120,000 annually. The other minor changes to the policy clarify the intent of the other capital funds and to comply with the Ohio Revised Code.

Mr. Smock moved and Mrs. McArthur seconded to adopt the revised Financial Management and Debt Policy. Upon roll call vote the motion passed unanimously.

LEGISLATION

RESOLUTION NO. 3-20

A RESOLUTION ADOPTING THE 2020 GEAUGA COUNTY NATURAL HAZARDS MITIGATION PLAN, AND DECLARING AN EMERGENCY was read for the first time by title only.

Mrs. McArthur moved and Mr. Grau seconded the rules be suspended and the Resolution be read for the second and third time by title only. Upon roll call vote the motion passed unanimously.

Resolution No. 3-20 was then read for the second and third time by title only.

Mr. Smock moved and Mrs. McArthur seconded for the adoption of Resolution No. 3-20.

Mr. Sharpe reported that this plan was created to protect the health, safety and economic interests of those in the County by reducing the impacts of natural hazards through mitigation, planning, awareness, and implementation. The plan needs to be updated every five years and needs to be adopted locally for grant funding eligibility for the purpose of significantly reducing and eliminating risks to lives and property from natural disasters.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3109

AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO ACCEPT NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) 2020 ENERGIZED COMMUNITY GRANT was read for the first time by title only.

Mr. Blackley moved and Mr. Grau seconded the rules be suspended and the Ordinance be read for the second and third time by title only. Upon roll call vote the motion passed unanimously.

Ordinance No. 3109 was then read for the second and third time by title only.

Mrs. McArthur moved and Mr. Grau seconded for the adoption of Ordinance No. 3109.

Mr. Sharpe stated that NOPEC has awarded the City an \$18,848 grant which will be used to continue the street light conversion to LED lights.

Mrs. McArthur asked if there are additional City funds used for the street lighting project.

Mr. Sharpe stated that street lighting assessment funds are being used to offset the additional project cost.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3110

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A DECLARATION OF COVENANTS AND RESTRICTIONS FOR THE MAPLE HIGHLANDS TRAIL PROJECT PHASE 2 was read for the first time by title only.

Mrs. McArthur moved and Mrs. Chuha seconded the rules be suspended and the Ordinance be read for the second and third time by title only. Upon roll call vote the motion passed unanimously.

Ordinance No. 3110 was then read for the second and third time by title only.

Mrs. McArthur moved and Mr. Grau seconded for the adoption of Ordinance No. 3110.

Mr. Chojnacki stated that ODOT has requested the City execute a Declarations of Covenants and Restrictions to ensure that the properties that are going to be used for the Maple Highlands Trail Project, Phase II, will continue to be used for that purpose.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3111

AN ORDINANCE ESTABLISHING SECTION 123.25, CHARDON SQUARE CAPITAL IMPROVEMENT FUND; AND ADDING A SUBSECTION C TO EACH OF THE FOLLOWING SECTIONS: 123.03, WATER CAPITAL IMPROVEMENT RESERVE FUND, 123.04, SEWER CAPITAL IMPROVEMENT RESERVE FUND, AND 123.09, GENERAL CAPITAL IMPROVEMENT RESERVE FUND; OF THE CODIFIED ORDINANCES OF THE CITY OF CHARDON was read for the first time by title only.

Mr. Smock moved and Mrs. McArthur seconded the rules be suspended and the Ordinance be read for the second and third time by title only. Upon roll call vote the motion passed unanimously.

Ordinance No. 3111 was then read for the second and third time by title only.

Mr. Smock moved and Mr. Grau seconded for the adoption of Ordinance No. 3111.

Mrs. McArthur asked for confirmation that there is not a cap on the funds.

Mr. Rogonjic stated that there is no cap on the funds.

Mrs. Chuha inquired about the 10-year limit.

Mr. Rogonjic stated that there is a 10-year limit because of a requirement in the Ohio Revised Code.

Mr. Smock stated that he is happy to see the creation of the fund because it is imperative that the City puts itself in a position to have funds available should property become available, especially on the east side of the Square.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3112

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT/AGREEMENT WITH WOODFORD EXCAVATING, LLC FOR THE CITY OF CHARDON MEL HARDER PARK SOUTH PHASE 2 IMPROVEMENTS PROJECT, CITY OF CHARDON PROJECT #6-146 AND DECLARING AN EMERGENCY was read for the first time by title only.

Mrs. McArthur moved and Mr. Grau seconded the rules be suspended and the Ordinance be read for the second and third time by title only. Upon roll call vote the motion passed unanimously.

Ordinance No. 3112 was then read for the second and third time by title only.

Mrs. McArthur moved and Mr. Blackley seconded for the adoption of Ordinance No. 3112.

Mr. Courtney stated that Woodford Excavating, LLC was the lowest bidder for this project. After reviewing their experience record and references, he is recommending they be awarded the contract.

Mr. Smock asked the City Engineer if the bid being 30% below his estimate was a concern.

Mr. Courtney stated that he discussed the bid amount with the contractor and they are comfortable with their figures.

Mr. Blackley asked about the project start time and duration.

Mr. Courtney stated that the project timeline is 60 days and will begin once the location has dried out.

Mrs. McArthur asked about the scope of the project.

Mr. Courtney stated that the project includes a multi-purpose field on the back of Mel Harder Park with additional walking trails and parking areas.

Mr. Sharpe added that the State Capital Budget gave the City \$250,000 towards the project.

Mr. Grau asked if the fields are able to be used by the summer, 2020.

Mr. Courtney stated that the field will not be usable until probably spring, 2021.

Upon roll call vote the motion passed unanimously.

REVIEW OF EXPENDITURES

Mrs. McArthur reported that expenditures were in order.

Mr. Blackley moved and Mr. Smock seconded to amend the agenda to add Executive Session as item #14. Upon roll call vote the motion passed unanimously.

EXECUTIVE SESSION -

Mr. Grau moved and Mrs. McArthur seconded to adjourn to Executive Session at 8:50 p.m. for the purpose of consulting with legal counsel regarding pending court action, discussing the acquisition of real estate, and employment and compensation of a public employee. Upon roll call vote the motion passed unanimously.

Discussion occurred with legal counsel regarding pending court action.

Discussion occurred regarding the acquisition of real estate.

Discussion occurred regarding the employment and compensation of a public employee.

Meeting reconvened at 9:19 p.m.

ANY OTHER BUSINESS TO COME BEFORE COUNCIL - none.

ADJOURN

Mr. Smock moved and Mrs. Chuha seconded to adjourn. Upon voice vote the motion passed unanimously.

The meeting adjourned at 9:20 p.m.

Attest:

DANIEL MELESKI, Mayor
President of Council

AMY DAY
Clerk of Council